

DISTRIBUTION UNDER THE SMALL ESTATES (DISTRIBUTION ACT 1955)

SMALL ESTATE APPLICATION (PROCEDURE)

Small Estate refers to the estate of the deceased consisting wholly or partially of immovable property (land/building/house/shophouse or shop lot) not exceeding RM2 Million in total value. Management of a Small Estate is pursuant to the Small Estate (Distribution) Act 1955 [Act 98] for Non-Muslim and the rule of Faraid for Muslims.

An application required to be made at the Estate Distribution Unit of the Department of the Director General of Lands and Mines (JKPTG) or the Land Office where the deceased's immovable property is located or situated. If the deceased's immovable properties are located in several states, beneficiaries may choose one of the relevant district or state Land Offices to submit the application. The Land Office where the first petition is submitted will have the exclusive jurisdiction to resolve all the deceased's estates located in all the other districts and states.

Beneficiaries are encouraged to manage the application of Small Estate distribution on their own. However, they also have an option to engage the services of a lawyer or Amanah Raya Berhad to guide them in filing the relevant Forms at JKPTG

HEARING



An application that has been processed will go for hearing. The deceased's beneficiaries and other relevant parties will be given a Notice of Hearing stating the date, time and place of the hearing. It is mandatory that the applicant to attend the hearing. Applicant is required to provide all the original documents at the hearing. Any person aggrieved by the order or decision made by the Land Administrator may appeal to the High Court.



Distribution Order

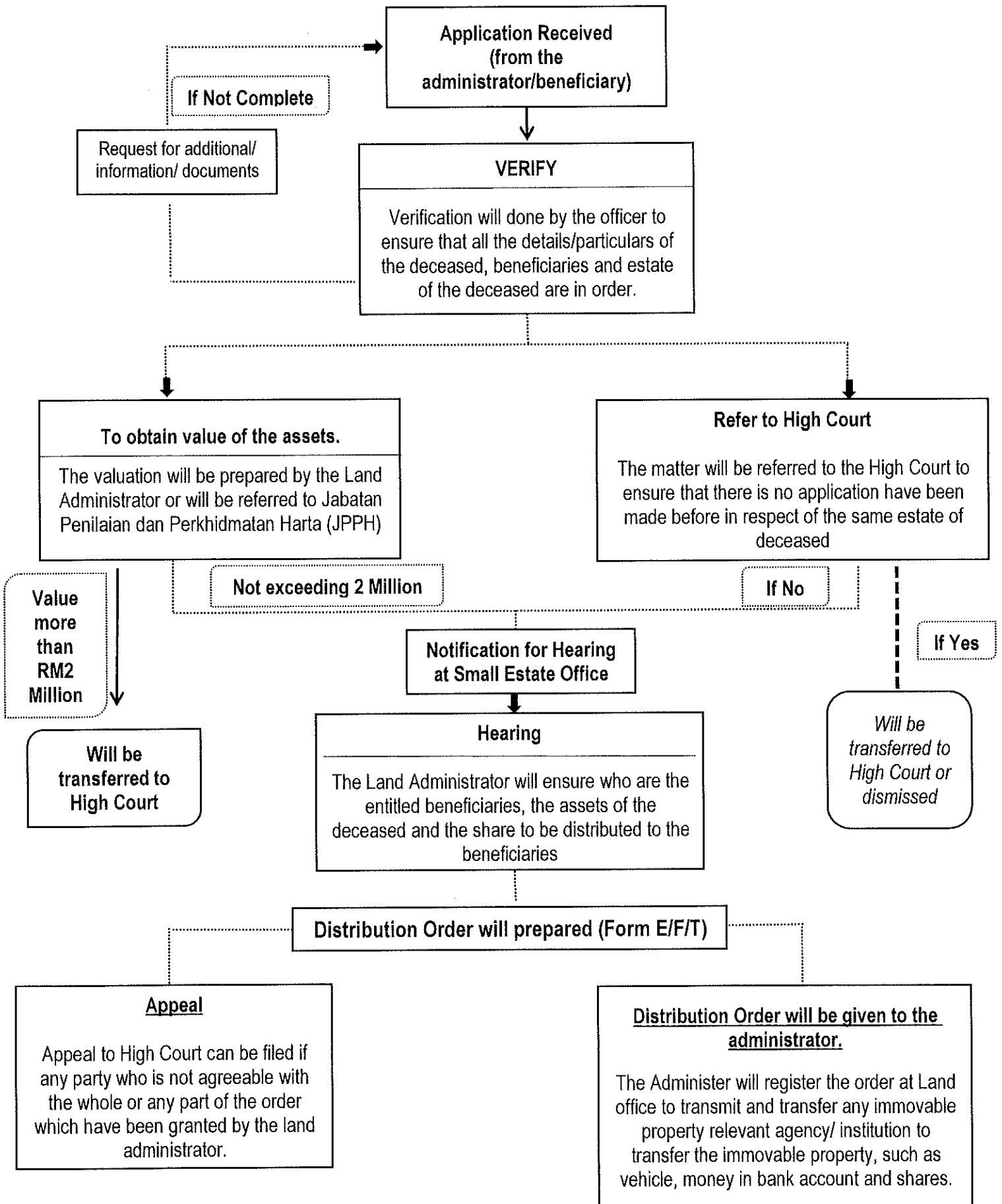
The order must be registered at the relevant Land Office(s) (state/district where the land title (s) is/are registered)

For the movable properties, need refer to the relevant institution (s)

For example:-

- Vehicle - Road Transport Department of Malaysia (JPJ)
- ASB Shares - Amanah Saham Nasional Berhad (ASNB)
- Saving Accounts - Related banks
- House/Land/Shoplot - Land Office

**CART FOR THE DISTRIBUTION OF THE ESTATE
OF DECEASED UNDER SMALL ESTATES (DISTRIBUTION) ACT 1958**



Forms Required To Be Filled At Small Estate

FORM A

(Subregulation 3(1))

MALAYSIA

State of

District of

SMALL ESTATES (DISTRIBUTION) ACT 1955

DISTRIBUTION SUIT NO. OF 20.....

In the Estate of
deceased Petition of
(Petitioner)
of.....
..... Contact No.

PETITION UNDER SECTION 8

I, the above-named petitioner state as follows :

1. The deceased died on the day of, year
2. I am a person claiming to be interested in the said estate as Beneficiary / Creditor / Purchaser / Corporation / Settlement Officer / Penghulu / Penggawa of the Mukim of.....
(*As beneficiary, my relationship to the deceased is))
3. To the best of my knowledge and belief the deceased left a widow/widows/widower and the next-of-kin as follows:

| Name | IC No. (or any other identification no.) | Address | Relationship to deceased |
|------|--|---------|-----------------------------|
| | | | |

(If no ample space, please attach and sign the annexure)

4. The deceased was at the date of his death possessed of the following property :

A- IMMOVABLE PROPERTY

| Description and No. of Title | Lot/Parcel/ PT No. | Town/ Village/ Mukim and District | Share | Address of the property |
|---------------------------------|-----------------------|--|-------|----------------------------|
| | | | | |

(If no ample space, please attach and sign the annexure)

B- MOVABLE PROPERTY

| Description of movable property | Approximate Value |
|---------------------------------|-------------------|
| | |

(If no ample space, please attach and sign the annexure)

C- DEBTS DUE TO DECEASED

| Description of debt | Amount | Name and address of debtor |
|---------------------|--------|----------------------------|
| | | |

(If no ample space, please attach and sign the annexure)

5. The deceased was at the date of his death indebted as follows :

| Nature of debt | Amount | Name and address of creditor |
|----------------|--------|------------------------------|
| | | |

(If no ample space, please attach and sign the annexure)

6. I pray that the deceased's estate may be distributed in the manner provided by Part II of the Small Estates (Distribution) Act 1955.

7. As far as my knowledge goes no previous application for distribution of the estate of the deceased has been made by any person and I make this solemn declaration conscientiously believing the particulars given above to be true and by virtue of the provisions of the Statutory Declarations Act 1960.

Dated atthis.....day of 20

Signed and solemnly declared by the
 above-named
 at..... Signature of Petitioner
 in the State of
 dated this.....20

In the presence of :

.....
 Magistrate/Commissioner for Oaths

3. LAMPIRAN WARIS

| NAME | IC NO. (or anyother indentification no) | ADDRESS | RELATIONSHIP TO DECEASED |
|-------------|--|----------------|---------------------------------|
| | | | |

.....
(Name of the person making consent)

.....
(Magistrate, Land Administrator,
Commissioner for Oaths or Notari Public)

4.(a) LAMPIRAN HARTA TAK ALIH

| Description and No.of Title | Lot / Parcel / Pt No. | Town / Village/ Mukim and District | Share | Address of the Propety |
|--|----------------------------------|---|--------------|-----------------------------------|
| | | | | |

.....

(Name of the person making consent)

.....

(Magistrate, Land Administrator,
Commissioner for Oaths or Notari Public)

4.(b) LAMPIRAN HARTA ALIH

| Description of movableproperty | Approximate Value |
|---------------------------------------|--------------------------|
| | |

.....

(Name of the person making consent)

.....

(Magistrate, Land Administrator,
Commissioner for Oaths or Notari Public)